

**BOARD OF REGISTRATION IN PHARMACY  
MINUTES**

June 7, 2011

239 Causeway Street, Rooms 417 A and B  
Boston, Massachusetts

**Board Members  
Present**

Stanley Walczyk, R.Ph.; Michael Tocco, R.Ph., M.Ed.; Karen Ryle, R.Ph., M.S.; James T. DeVita, R.Ph.; Sophia Pasedis, R.Ph.; Pharm.D; Donald Accetta, M.D., M.P.H.; Joanne Trifone, R.Ph.; George Cayer, R.Ph.; Kathy Fabiszewski, Ph.D, N.P.; Steven Budish

**Board Members  
Absent**

None

**Staff Present**

James D. Coffey, R.Ph. Director; Margaret Cittadino, M.Ed., Associate Director; Susan Manning, Board Counsel; Leo McKenna, R.Ph., Pharm.D., Quality Assurance (QA) Coordinator; Samuel J. Penta, R.Ph., Supervising Investigator; Cheryl Latham R.Ph., Pharm.D., Investigator; James Emery, Pharmacy Technician, Investigator; William E. Frisch, Jr., R.Ph., Investigator; Intern Shaun Cabral, MCP

1. 8:30 a.m.    CALL TO ORDER  
                President Stanley B. Walczyk, R.Ph.
2. 8:35 a.m.    REVIEW/ADOPTION OF BOARD MINUTES - no minutes reviewed
- 3: 8:40 a.m.    APPLICATIONS - Pharmacy/Wholesale Distributor (applications on file)  
                Assoc. Dir. Margaret Cittadino

New Community Pharmacy

CVS 957, 928 Riverdale Street, West Springfield

CVS 6466, 2340 GAR Highway, Swansea

Target T-2607, 579 GAR Highway, Swansea

Change of Manager

Bio-Rx, LLC, 266 West Cummings Park, Woburn (DS89763)

CVS 706, 393 Massachusetts Avenue, Acton (DS24385)

CVS 1006, 316 North Pearl Street, Brockton (DS2715)

CVS 01859, 148 Route 137, East Harwich (DS2945)

CVS 1251, 842 South Franklin Street, Holbrook (DS3422)

CVS 242, 480 North Franklin Street, Holbrook (DS89667)

CVS 01869, 1080 Falmouth Road, Hyannis (DS3337)

CVS 1238, 555 Main Street, Medfield (DS2058)

CVS 00799, 786 Ashley Boulevard, New Bedford (DS3604)

CVS 2138, 8 Pilgrim Hill Road, Plymouth (DS2815)

CVS 137, 626 Southern Artery, Quincy (DS2951)

CVS 4313, 438 Route 28, West Yarmouth (DS89758)

Pro-Care Pharmacy, 123 Summer Street, Worcester (DS3235)

Rite-Aid 10076, 240 Avenue A, Turners Falls (DS2684)

Rite-Aid 10153, 971 Bennington Street, East Boston (DS3613)

Rite-Aid 10151, 90 River Street, Mattapan (DS3122)

Stop & Shop Pharmacy 098, 438 Dartmouth Street, New Bedford (D2702)  
 Target T-1374, 79 Commerce Way, Seekonk (DS3050)  
 Walgreens 3759, 1010 Broadway, Chelsea (DS27010)  
 Walgreens 11947, 5 Tremont Street, Taunton (DS3548)  
 Wal-Mart Pharmacy 10 1970, 280 Washington Street, Hudson (DS2743)  
 Wal-Mart Pharmacy 10 3409, 20 Sojian Drive, Leicester (DS3506)  
 Wal-Mart Pharmacy 10 2629, 100 Valley Parkway, East Whitinsville (DS3508)

Relocation - Community Pharmacy

North Falmouth Pharmacy, Inc. DBA North Falmouth Pharmacy II NH, 17 Academy Lane,  
 Falmouth FROM 111 County Road, North Falmouth (fire) (DS3304)  
 Northeast RX DBA, Cape Cod Home Infusion, 200 Main Street, Falmouth FROM  
 111B County Road North Falmouth (fire) (DS3591)

Renovation Expansion

CVS 0237, 1587 Brayton Point Road, Somerset (DS3046)  
 CVS 0669, 413 Paradise Road, Swampscott (DS2486)  
 CVS 1259, 231 Mass Avenue, Boston (DS1974)  
 CVS 1009, 509 Main Street, Bunker Hill Mall, Charlestown (DS1529)  
 CVS 0952, 205 South Broadway, Lawrence (DS1494)

Motion Cayer/Pasedis to approve applications  
 Recused Tocco and DeVita for CVS; Trifone for Walgreens  
 Approved

4. 8:50 a.m. UPDATES

Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino  
 - Board Dispositions  
 - Licensing – Renewals (Pharmacy Technicians)  
 - NABP Annual Meeting – President Walczyk

5. 8:55 a.m. REPORT OF OFFICE OF INVESTIGATIONS

File Review - Samuel J. Penta, R.Ph., Supervising Investigator; James C. Emery,  
 Investigator, Cheryl Lathum, Pharm.D., R.Ph., Investigator, William E. Frisch, Jr.,  
 R.Ph., Investigator, Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

1	SA-INV-2051 <b>Walgreens 413</b> DS1368	<b>Motion</b> Pasedis/DeVita to Dismiss – No Violation <b>Recused</b> Trifone (not present in meeting for discussion or vote) <b>Approved</b>
2	SA-INV-1819 <b>Walgreens 1855</b> DS1418	<b>Motion</b> Pasedis/Cayer to Dismiss – No Violation <b>Recused</b> Trifone (not present in meeting for discussion or vote) <b>Approved</b>
3	PHA-2010-0226 <b>Walgreens 1161</b> DS89738	<b>Motion</b> Ryle/DeVita to Dismiss – No Violation <b>Recused</b> Trifone (not present in meeting for discussion or vote) <b>Approved</b>
4	PHA-2010-0229 <b>Integriscrypt</b> DS89726	<b>Motion</b> Cayer/Pasedis to Dismiss with Advisory Letter with documentation of training program for three related

	PHA-2011-0054 <b>Jerome Munic</b> PH23285  PHA-2011-0055 <b>Vijaya Potluri</b> PH232344	complaints. <b>Not present for vote Ryle</b> <b>Approved</b>
5	PHA-2011-0021 <b>Rite Aid 10351</b> DS2574	<b>Motion Cayer/Pasedis for investigative conference.</b> <b>Approved</b>
6	PHA-2010-0022 <b>Walmart 10 2171</b> DS2748  PHA-2011-0070 <b>David Sager</b> PH15972	<b>Motion Cayer/Pasedis for investigative conference.</b> <b>Approved</b>
7	PHA-2011-0031 <b>Louis &amp; Clark 370</b> DS14966  PHA-2011-0064 <b>Joshua Hall</b> PH15508  PHA-2011-0066 <b>Keri A. Robinson</b> PT9629	<b>Motion DeVita/Trifone for investigative conference.</b> <b>Approved</b>
8	PHA-2011-0042 <b>Pepperell Family Pharmacy</b> DS3541  PHA-2011-0110 <b>Tracie G. Ezzio</b> PH16847  PHA-2011-0098 <b>Kara Burns</b> PT9383  PHA-2011-0099 <b>Claudia Dineen</b> PT5187	<b>Motion (DS and PH) Pasedis/Trifone to propose Consent Agreement for Reprimand with conditions (Licensee cease acting as Manager of Record for a minimum one (1) year period; submit a "Change of Manager" application; new Manager of Record to complete Board's Self-Assessment Inspection Form with confirmation within 30 days.</b> <b>Approved</b>  <b>Motion Trifone/Cayer to propose a Consent Agreement for Reprimand</b> <b>Approved</b>  <b>Motion Trifone/Cayer to propose a Consent Agreement for Reprimand.</b> <b>Approved</b>

9	PHA-2011-0119 <b>Linda Banh</b> PH24912	<b>Motion</b> Ryle/Trifone to propose a Consent Agreement for Probation (one year) with 15 Continuing Education credits (CE) on dosing and geriatric care. <b>Recused</b> Cayer and Tocco (not present in meeting for discussion or vote) <b>Approved</b>
10	PHA-2011-0025 <b>Edward Tersavich</b> PH20101	<b>Motion</b> Cayer/Pasedis Dismiss without Prejudice
11	PHA-2010-0223 <b>Kyle Beman</b> PT9872	<b>Motion</b> DeVita/ Pasedis to Dismiss with Advisory Letter with conditions related to 2 CEs medication error prevention <b>Recused</b> Cayer and Tocco (not present in meeting for discussion or vote) <b>Approved</b>
12	PHA-2010-0224 <b>Donald B. Hess</b> PH15511	<b>Motion</b> Devita/Ryle to propose a Consent Agreement for Reprimand with conditions related to 2 CEs medication error prevention <b>Recused</b> Cayer and Tocco (not present in meeting for discussion or vote) <b>Approved</b>
13	PHA-2011-0095 <b>McClelland Health Systems Pharmacy</b> DS3309	<b>Motion</b> Devita/Ryle to refer the matter to Office of Prosecutions <b>Recused</b> Cayer and Tocco (not present in meeting for discussion or vote) <b>Approved</b>
14	PHA-2011-0094 <b>Roman W. Szarek</b> PH22901	<b>Motion</b> DeVita/ Pasedis to Dismiss with Advisory Letter with 2 CEs pharmacy law <b>Recused</b> Cayer and Tocco (not present in meeting for discussion or vote) <b>Approved</b>

6. 11:30 a.m. PRESENTATION – WALGREENS Pilot Project Request

Present: Casey Kozlowski, Director, Retail Ancillary Services; Peter Speranza, Vice President and General Counsel, OnePoint Patient Care; Jeff Hohl, President and COO, OnePoint Patient Care; Mike Godek, Walgreens, Supervisor, Beverly, MA

Walgreens representatives presented pilot project request and answered Board member questions regarding delineated roles and responsibilities of contracting parties and pharmacy providers, including prescription fill follow-up with prescribers, and other shared services aspects of proposal. Board identified areas requiring additional information.

**Motion** Ryle/DeVita to take matter under advisement  
**Recused** Trifone (not present in meeting for discussion or vote)  
**Approved**

12:05 p.m. Accetta and Fabiszewski exit meeting

7. 12:05 p.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Counsel

**CLOSED SESSION** – Review/discussion of Complaints and other Legal Matters  
[MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]

UPDATES Matters of:

- (1) **Shore Drug** (Dana Shore, Owner) - Docket No. PHA20110014  
*Final Order of Summary Suspension* was issued May 10, 2011 after waiver of summary suspension hearing; referred to Office of Prosecutions.
- (2) **Bruce Zippin**, R.Ph.(MOR, Shore Drug) – Docket No. PHA-2011-0120  
*Temporary and Final Orders of Summary Suspension* were issued May 10 and 11, 2011 with summary suspension hearing waived; referred to Office of Prosecutions.
- (3) **North Shore Pharmacy Services** (DS3458) – Multiple (10) Docket Nos.  
**Recused** Tocco and Cayer (not present in meeting room during discussion)  
Board advised that NSP executed a Consent Agreement with the Board in resolution of the pending complaints, effective June 3, 2011.

12:10 p.m. **Motion** Ryle/Budish to move into Closed Session.

12:25 p.m. **Motion** Pasedis/Ryle to return to Open Session.

8. 12:25 p.m. DISCUSSION

Review of Proposed Joint Policy re: *Schedule II: Information that Can be Changed on a Schedule II Prescription* – Dir. Coffey

**Motion** Pasedis/Ryle to approve for review with DPH Drug Control Program  
**Approved**

Overview of *Shared Pharmacy Services* – Board Member Pasedis

Following review, members approved Board Member Pasedis and staff to develop proposed regulations, including review of NABP Model Rules, for Board review.

12:40 p.m. Budish exits meeting

9. 12:40 p.m. LUNCH

10. 1:45 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance

**UMASS MEMORIAL MEDICAL CENTER, INC. DBA PRESCRIPTION CENTER PHARMACY – UNIVERSITY CAMPUS** – Proposed: 55 Lake Avenue North, Worcester, Massachusetts

Present: Kevin T. Miller, R.Ph. (PH22850), Proposed Manager of Record and Director Ambulatory Care Pharmacy Services; Christian A. Hartman, PharmD, MBA, Medication Safety Officer/Assistant Professor of Medicine Director, Medication Use Safety Residency; Roy Guharoy, PharmD, MBA, FCP, FCCP, FASHP, Chief Pharmacy Officer, Professor of Medicine, Departments of Pharmacy and Medicine University of Massachusetts Memorial Medical Center

UMASS Memorial Medical Center representatives appeared to review application with waivers for retail pharmacy licensure (Schedules II-VI controlled substances).

**Motion** DeVita/Pasedis to approve application  
**Approve**

11. 2:15 p.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)

File Review - Samuel J. Penta, R.Ph., Supervising Investigator; James C. Emery, Investigator, Cheryl Lathum, Pharm.D., R.Ph., Investigator, William E. Frisch, Jr., R.Ph., Investigator, Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

15	PHA-2011-0086 <b>Gregory Rodrigues</b> PH23347	<b>Motion</b> Cayer/ Trifone to Dismiss with Advisory Letter with conditions related to CE violations <b>Approved</b>
16	PHA-2010-0126 <b>Apothecary Center</b> DS3516	<b>Motion</b> Ryle/Trifone to Dismiss – No Violation <b>Approved</b>
17	SA-INV-1935 <b>Kmart Pharmacy 4444</b> DS2005	<b>Motion</b> Cayer/Pasedis to Dismiss Without Prejudice <b>Approved</b>

12. 3:00 p.m. DISCUSSION

October 2011 NABP/AACP District I & II Annual Meeting to be hosted by  
Massachusetts:

13. FLEX DISCUSSION

New Business - APPLICATIONS

Mona Komari –Pharmacist Licensure

**Motion** Pasedis/Cayer to approve application

**Recused** DeVita and Tocco (not present in meeting for discussion or vote)

**Approved**

Tyler Benson – Pharmacy Technician

**Motion** Pasedis/Cayer to approve application

**Approved**

14. 3:30 p.m. ADJOURNMENT

Respectfully submitted by:



James D. Coffey  
Director

Board approved: January 10, 2012

BOARD OF REGISTRATION IN PHARMACY  
CLOSED SESSION MINUTES  
JUNE 7, 2011  
239 CAUSEWAY STREET, ROOMS 417 A and B  
BOSTON, MA 02114

12:10 p.m. **Motion** Ryle/Budish to move into Closed Session.

(1) **Michael R. Halle, R.Ph.** (PH27656) - Docket PHA-2011-0090  
Board reviewed State of Maine Consent Agreement (February 2011) regarding October 13, 2010 conviction.  
Motion Pasedis/Tocco to propose agreement imposing same conditions as Maine monitoring.  
**Approved**

(2) **Brandon J. Zarr** (PT9744) – Docket No. PHS20100215  
Board reviewed *Proposed Final Decision and Order by Default*.  
Motion Ryle/Pasedis to adopt proposed decision and REVOKE technician registration.  
**Recused** Trifone (not present in meeting for discussion or vote)  
**Approved**

(3) **Michelle I. Parker** (PT12460) – Docket No. PHS20100036  
Board reviewed *Proposed Final Decision and Order by Default*.  
Motion Ryle/Pasedis to adopt proposed decision and REVOKE technician registration.  
**Approved**

12:25 p.m. **Motion** Pasedis/Ryle to return to Open Session.